INDIANA UTILITY REGULATORY COMMISSION 302 W. WASHINGTON STREET, SUITE E-306

INDIANAPOLIS, INDIANA 46204-2764 PETITION OF NORTHERN INDIANA PUBLIC SERVICE COMPANY, UNDER THE ONGOING REVIEW PROCESS APPROVED IN CAUSE NO. 42150,

FOR APPROVAL OF AN ADJUSTMENT TO ITS ELECTRIC UTILITY RATES TO

REFLECT COSTS RELATED TO ITS **OUALIFIEDPOLLUTION CONTROL** PROPERTY, INCLUDING CERTAIN

EXPENSES AND A RETURN ON THE VALUE OF SUCH PROPERTY PURSUANT

TO IND. CODE. §§ 8-1-2.6-6 AND 8-1-8.7

AND 170 IAC 4-6-1 et. seq.

http://www.state.in.us/iurc/ Office: (317) 232-2701 Facsimile: (317) 232-6758

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INDIANA UTBELY REGITATORY COMMISSION

CAUSE NO. 42150 ECR-1

You are hereby notified that on this date the Indiana Utility Regulatory Commission ("Commission") made the following entry in this Cause:

On February 6, 2003, Northern Indiana Public Service Company ("Petitioner" or "NIPSCO") filed its initial Petition for Environmental Cost Review ("ECR") in this Cause. In its Petition, NIPSCO requests expedited treatment in this matter, but did not indicate whether the Office of the Utility Consumer Counselor ("OUCC" or "Public") planned to prefile testimony in this Cause, and did not include its prefiled case-in-chief with its Petition. On February 13, 2003, NIPSCO filed its Direct Testimony and Exhibits in this Cause. Within the foregoing constraints, and the time constraints necessary for the Commission to provide legal notice of this proceeding, the Presiding Officers hereby approve the following procedural schedule:

- The Public's and Intervenors' Prefiling Date. Public and any Intervenors should prefile with the Commission the prepared testimony and exhibits constituting their respective cases-in-chief on or before March 6, 2003. Copies of same should be served upon all parties of record.
- Petitioner's Rebuttal Prefiling. The Petitioner should prefile with the Commission its prepared rebuttal testimony on or before March 10, 2003. Copies of same should be served upon all parties of record.
- Evidentiary Hearing on the Parties' Cases-In-Chief. The cases-in-chief of the Petitioner, Public and any Intervenors should be presented in an evidentiary hearing to commence on March 13, 2003 at 9:30 a.m. in Room E306 of the Indiana Government Center South, Indianapolis, Indiana. At such time, the direct evidence of the respective parties should be presented and their respective witnesses examined. Thereafter, Petitioner should present its prefiled rebuttal evidence as well as any additional evidence rebutting evidence adduced on

cross-examination of Public's or Intervenors' witnesses. In the event that the parties are able to resolve this matter by agreement, the parties' settlement agreement should be filed with the Commission on or before March 7, 2003.

- 4. <u>Discovery</u>. Discovery is available for all parties and should be conducted on an informal basis. Any response or objection to a discovery request should be made within ten (10) business days of the receipt of such request. Requests received after 4:00 p.m. EST shall be deemed received the following day.
- 5. Number of Copies/Corrections. The parties should file with the Commission an original and thirteen (13) copies of all prefiled testimony and exhibits. Any corrections to prefiled testimony should be made in writing as soon as possible after discovery of the need to make such corrections. Although the Commission's rules require that original copies be one-sided, it is the Commission's preference that duplicate copies use both sides of the paper.
- 6. <u>Intervenors</u>. Any party permitted to become an Intervenor in this Cause should be bound by the record as it stands at the time its Petition to Intervene is granted, pursuant to 170 IAC 1-1.1-11.
- 7. Amendment of Caption. The Presiding Officers, on their own Motion hereby amend the caption in this matter--as set forth in the caption of this Docket Entry--to more accurately reflect the specific relief requested in this Cause.

IT IS SO ORDERED.

dith G. Ripley, Commissioner

Scott R. Storms, Chief Administrative Law Judge

DATE

Nancy E. Manley, Secretary to the Commission